

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DISABILITY RIGHTS WASHINGTON, a
nonprofit membership organization for the
federally mandated Protection and
Advocacy Systems,

Plaintiff,

v.

JILMA MENESES, in her official capacity
as Acting Secretary of the Washington
State Department of Social and Health
Services; and SUSAN BIRCH, in her
official capacity as Director of the
Washington State Health Care Authority,

Defendants.

CASE NO. 3:22-cv-05651-RJB

ORDER RE: DECEMBER 26, 2023
LETTER

This matter comes before the Court after receipt, on December 26, 2023, of a letter dated December 17, 2023. Dkt. 166. The Court has considered the letter and remaining file.

The Plaintiff in this case seeks declaratory and injunctive relief regarding The Rainier School, a state-run, residential facility for people with intellectual and developmental disabilities. Dkt. 83. It contends that The Rainier School is a dangerous place to live and fails to provide for

1 the health and safety of its residents. *Id.* The Plaintiff asserts claims for violations of Title II of
2 the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12102, *et. seq.*, and the Rehabilitation
3 Act (“RA”), 29 U.S.C. § 701, *et. seq.* *Id.*

4 According to the Amended Complaint, the Plaintiff brings these claims in its
5 representative capacity as the “statewide protection and advocacy system designated by the
6 Governor of the State of Washington to protect and advocate for the legal and civil rights of
7 those residents of this state who have disabilities” pursuant to various federal and state statutes.
8 *Id.* at 4.

9 On December 26, 2023, the Court received a letter dated December 17, 2023. Dkt. 166.
10 The letter is from Robert C. Doyle, who purports to be the brother and legal guardian of Donald
11 B. Doyle. *Id.* The letter maintains that Donald Doyle is a resident at The Rainier School. *Id.*
12 The letter asks the Court for various kinds of relief, including admonishing Disability Rights
13 Washington for its conduct relating to records requests, dismissal of the case with prejudice, or,
14 if the lawsuit is permitted to continue, to join the lawsuit on behalf of Donald Doyle. *Id.*

15 DISCUSSION

16 A party may litigate their own case in federal court without a lawyer. 28 U.S.C. § 1654
17 (in federal courts, “the parties may plead and conduct their own cases personally or by counsel”)
18 Guardians cannot bring, or defend, lawsuits on behalf of those they are appointed to represent,
19 like minor children or those deemed incompetent, without hiring a lawyer. *Johns v. Cnty. of San*
20 *Diego*, 114 F.3d 874, 877 (9th Cir. 1997)(guardian or parent cannot bring lawsuit on behalf of
21 minor child without retaining an attorney).

22 Robert Doyle does not appear to be an attorney admitted before this Court. If he is not an
23 attorney, he cannot conduct this case as an attorney would for Donald Doyle. He is not
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1 permitted to move the Court for relief for Donald Doyle in this case. If Robert Doyle wishes to
2 seek relief for his brother in this case, Donald Doyle must be represented by a lawyer.

3 Accordingly, the letter will remain in the file, but the Court will not act on it.

4 **IT IS SO ORDERED.**

5 The Clerk is directed to send uncertified copies of this Order to Robert Doyle P.O. Box
6 546, Sedro Wooley, WA, 98284, all counsel of record, and to any party appearing pro se at said
7 party's last known address.

8 Dated this 28th day of December, 2023.

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11 Robert J. Bryan
12 United States District Judge
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